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COMPLAINT
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UNITED STATES DISTRICT COURT

FOR THE

SOUTHERN DISTRICT OF CALIFORNIA

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

CP
'08 MJ 0532

UNITED STATES OF AMERICA

v.

MARIO HARO

COMPLAINT FOR VIOLATION OF

U.S.C. Title 18 Section 2113(a)

Bank Robbery

BEFORE

San Diego, California

NAME OF MAGISTRATE

ADDRESS OF MAGISTRATE

THE UNDERSIGNED COMPLAINANT BEING DULY SWORN STATES:

That on or about February 21, 2008, at Chula Vista , California, within the Southern District of California:

MARIO HARO

did by force, violence and intimidation unlawfully take from the person and presence of employees at the Washington Mutual Bank, 503 Telegraph Canyon Road, Chula Vista, California, United States currency in the sum of \$451.00, belonging to, or in the care, custody, management or possession of the Washington Mutual Bank, 503 Telegraph Canyon Road, Chula Vista, California, whose deposits were then insured by the Federal Deposit Insurance Corporation, in violation of Title 18, United States Code, Section 2113 (a);

And the complainant states that this complaint is based on the attached affidavit which is incorporated herein by reference.

David J. Eaton, FBI

David J. Eaton
Special Agent, FBI

Sworn to before me, and subscribed in my presence on this
22nd day of February, 2008.

W. Meliorone
United States Magistrate Judge

A F F I D A V I T

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

I, David Eaton, being duly sworn, depose and say:

1. I am a Special Agent of the Federal Bureau of Investigation (FBI) assigned to the San Diego Field Division. My primary assignment is the investigation of bank robberies and other violent crimes. The information contained in this affidavit is based upon my personal knowledge and on the information I have learned from reviewing official reports and speaking with other local and federal law enforcement officers.

2. On Thursday, February 21, 2008, at approximately 3:30 p.m., the affiant responded to the report of a robbery at the Washington Mutual Bank, 503 Telegraph Canyon Road, Chula Vista, California.

3. The affiant has reviewed the report of the victim teller who advised as follows: On Thursday, February 21, 2008, at approximately 3:30 p.m., the victim called the next person waiting in the customer line to her teller window. The individual, later identified as MARIO HARO, approached the victim teller and held out what she described as a handwritten note on an index card. The note said, "I

1 have a gun. Give me the money. No dye-pack." The victim
2 complied with the demand note and removed U.S. currency, to
3 include a dye-pack, from her teller drawer. The victim
4 teller placed the money and dye-pack onto the teller counter.
5 HARO picked up the money, turned around and casually walked
6 out of the bank. As soon as HARO turned away from her, the
7 victim teller activated her robbery alarm. The victim teller
8 described HARO as follows:

9	Race:	White
10	Ethnicity:	Hispanic
11	Sex:	Male
12	Age:	Mid 20s
13	Height:	5'8" - 5'9"
14	Weight:	150 - 180 pounds
15	Build:	Thin
16	Hair:	Dark, cut short
17	Clothing:	Dark plaid, long-sleeved,
18		button-down, collared shirt;
19		dark black or green corduroy
20		pants; black dress shoes

21 4. The affiant spoke with officers of the Chula
22 Vista Police Department who advised as follows: Immediately
23 after the robbery of the Washington Mutual Bank, 503
24 Telegraph Canyon Road, Chula Vista, California, witnesses
25 reported seeing an individual matching HARO's description
26 running westbound on Telegraph Canyon Road, under the
27 Interstate 805 Overpass. Those witnesses reported that the
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1 individual was wearing dark pants and no shirt. Witnesses
2 reported seeing that individual enter a concrete storm drain
3 approximately one block west of Interstate 805. Efforts by
4 the Chula Vista Police Department to locate HARO inside the
5 storm drain system were unsuccessful. The search of the
6 storm drain system was terminated at approximately 5:30 p.m.

7 5. On Thursday, February 21, 2008, at
8 approximately 7:15 p.m., the affiant was contacted by Agent
9 GLENN ISAACS, Chula Vista Police Department, who advised as
10 follows: On Thursday, February 21, 2008, at approximately
11 6:45 p.m., a Chula Vista Police Department Dispatcher
12 received a telephone call from a citizen who reported that he
13 had just been approached by an unknown male, later identified
14 as MARIO HARO, who had asked to use the caller's cellular
15 telephone. The caller was suspicious of HARO because his
16 pants were wet, he was wearing no shirt, and he was seen
17 exiting the bushes near a concrete storm drain before
18 approaching the caller. The caller denied HARO's request to
19 use the cellular telephone. HARO began running to the west.
20 At approximately 7:00 p.m. HARO was located by officers of
21 the Chula Vista Police Department in the vicinity of the 700
22 Block of Hilltop Drive, Chula Vista, California. HARO was
23 taken into custody without incident. At the time of his
24 arrest, HARO was wearing brown corduroy pants, black "Reebok"
25 shoes and no shirt. HARO's underwear and pants were stained
26 with red dye. HARO was in possession of U.S. currency
27 totaling \$340.00; the remnants of a detonated dye-pack; and a
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1 business card with a handwritten note on the back which read,
2 "I HAVE A GUN! GIVE ME ALL THE MONEY. NO INK PACKAGES."

3 The currency in HARO's possession included two pre-recorded
4 bait bills taken during the robbery of the Washington Mutual
5 Bank, 503 Telegraph Canyon Road, Chula Vista, California.

6 6. On Thursday, February 21, 2008, at
7 approximately 8:30 p.m., the affiant interviewed MARIO HARO
8 at the Chula Vista Police Department headquarters. HARO was
9 advised of his constitutional Miranda rights. HARO advised
10 that he understood his rights. HARO voluntarily signed the
11 FBI Advice of Rights form indicating that he was willing to
12 answer questions without an attorney present. HARO
13 voluntarily advised as follows: On this date, at
14 approximately 3:30 p.m., HARO entered the Washington Mutual
15 Bank on Telegraph Canyon Road, Chula Vista, California. HARO
16 approached a young female teller and presented a demand note
17 written on the back of a business card. The demand note
18 read, "I have a gun. Give me all the money. No ink
19 packages." The victim teller removed U.S. currency from her
20 teller drawer and handed the money to HARO. HARO took the
21 money, put it in his front right pants pocket and exited the
22 bank. As HARO was running behind the THRIFTY Gas Station
23 near the bank, he heard a popping noise. HARO felt the money
24 getting very hot as it was "leaking" in his pants pocket.
25 HARO removed the money from his pants pocket then took off
26 his shirt and wrapped the shirt around the money so he could
27 hold onto it. HARO ran westbound along Telegraph Canyon
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1 Road. HARO entered a concrete storm drain approximately one
2 block west of Interstate 805. HARO hid in the storm drain
3 while he heard officers of the Chula Vista Police Department
4 announce their presence as they attempted to locate him.
5 HARO remained in the storm drain until approximately 6:30 or
6 7:00 p.m. HARO exited the storm drain and approached a
7 pedestrian on the sidewalk. HARO asked to use the person's
8 cellular telephone but he was denied. HARO began running
9 westbound. Shortly thereafter, HARO was contacted by
10 officers of the Chula Vista Police Department and taken into
11 custody. HARO is described as follows:

12	Name:	MARIO HARO
13	Race:	White
14	Ethnicity:	Hispanic
15	Sex:	Male
16	Date of Birth:	August 26, 1987
17	Social Security #:	XXX-XX-9957
18	Height:	5'11"
19	Weight:	183 pounds
20	Build:	Slender
21	Hair:	Black, cut short
22	Residence:	1619 Oro Vista Road #83
23		Imperial Beach, California

24 7. The affiant has confirmed that the deposits of
25 the Washington Mutual Bank, 503 Telegraph Canyon Road, Chula
26 Vista, California, were insured by the Federal Deposit
27 Insurance Corporation (FDIC) at the time of the bank robbery
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1 on February 21, 2008. The Washington Mutual Bank, 503
2 Telegraph Canyon Road, Chula Vista, California, incurred a
3 loss of \$451.00 as a result of that bank robbery.

4 David J. Eaton, FBI

5 David J. Eaton
6 Special Agent, FBI

7 Sworn to before me and subscribed in my presence this 22nd
8 day of February, 2008, at 12:03 X (p.m.)

9 W. McElwaine
10 United States Magistrate Judge
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